

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

U.S.A. vs. Daniel Joseph Watts

Docket No. 4:04-CR-48-4H

Petition for Action on Supervised Release

COMES NOW Mindy L. Threlkeld, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Daniel Joseph Watts, who, upon an earlier plea of guilty to 21 U.S.C. §846, Conspiracy to Possess With the Intent to Distribute More Than Twenty (20) Grams of Methamphetamine, was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on January 4, 2006, to the custody of the Bureau of Prisons for a term of 63 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 60 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
3. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.

Daniel Joseph Watts was released from custody on August 14, 2009, at which time the term of supervised release commenced.

On December 13, 2010, a violation report was submitted to the court reporting that the defendant had been charged with Misdemeanor Assault With a Deadly Weapon on November 29, 2010, in Cumberland County, North Carolina. It was recommended that we await the outcome in state court before recommending if a sanction was appropriate. This charge was voluntarily dismissed on January 24, 2011.

On May 8, 2012, the conditions of release were modified to include mental health treatment, after the defendant had some verbal altercations with his fiancé at their residence. No police reports were filed, but it was felt that anger management classes would be beneficial for the defendant to help deal with any underlying anger problems.

On May 2, 2013, the conditions of release were modified to include 5 days incarceration when the defendant tested positive for morphine/oxymorphone on April 9, 2013, and when the defendant committed the offenses of Driving While License Revoked and Unsafe Movement on April 4, 2013, in Cumberland County, North Carolina.

On June 17, 2013, the conditions of release were modified to include a cognitive behavioral program when the defendant committed the offenses of Driving While License Revoked, Unsafe Movement, Cancelled/Revoked/Suspended Certificate/Tag, and Failure to Surrender Title/Registration Card/Tag, in Cumberland County, North Carolina, on May 13, 2013.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: The defendant committed the offenses of Failure to Secure a Passenger Under 16 and Driving While License Revoked on August 9, 2013, in Cumberland County, North Carolina. It is recommended that the defendant be sanctioned with five days incarceration for this driving offense.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of five days, commencing as soon as can be arranged, and shall abide by all rules and regulations of the designated facility.
2. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

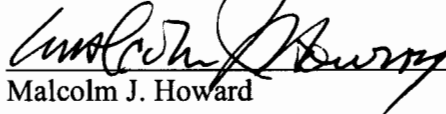
/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

/s/ Mindy L. Threlkeld
Mindy L. Threlkeld
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: September 3, 2013

Daniel Joseph Watts
Docket No. 4:04-CR-48-4H
Petition For Action
Page 3

ORDER OF COURT

Considered and ordered this 4th day of September, 2013, and ordered filed and made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge